

ORIGINAL

David M. Monachino (DM 1527)
SEYFARTH SHAW LLP
620 Eighth Avenue
New York, New York 10018-1405
(212) 218-5500

Michael D. Wexler, Esq. (to be admitted *pro hac vice*)
Jason P. Steihl, Esq. (to be admitted *pro hac vice*)
SEYFARTH SHAW LLP
131 South Dearborn Street, Suite 2400
Chicago, Illinois 60603
(312) 460-5000

Attorneys for Plaintiff ITW Tech Spray, L.L.C.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
ITW Tech Spray, L.L.C.,

Plaintiff,

vs.

Tech Spray Management Company, L.L.C.,
Richard Russell and Rita Russel,

Defendants.
----- X

ECF Case

Case No. 07-CV-6676

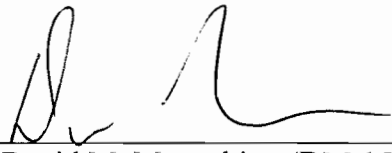
**NOTICE OF MOTION TO ADMIT
COUNSEL PRO HAC VICE**

PLEASE TAKE NOTICE that, upon the accompanying Affidavit of Michael D. Wexler. in support of this motion, the Exhibit A annexed thereto; the Affidavit of Jason P. Stiehl in support of this motion, the Exhibit B annexed thereto; the Affirmation of David M. Monachino in support of this motion; and proposed Order Admitting Counsel *Pro Hac Vice*, and upon all the prior pleadings and proceedings herein, Plaintiff ITW Tech Spray, L.L.C. will move this Court, at a date and time to be determined by the Court, before the Honorable Judge Crotty, United States District Judge, pursuant to Rule 1.3(c) of the Local Civil Rules of the United States

District Courts for the Southern and Eastern Districts of New York, for an Order allowing the *pro hac vice* admissions of Michael D. Wexler and Jason P. Stiehl, members of the firm Seyfarth Shaw LLP, 131 South Dearborn Street, Suite 2400, Chicago, Illinois, to represent plaintiff, along with their colleague from the New York office of Seyfarth Shaw LLP, in the above-captioned action in this Court.

Dated: New York, New York
August 16, 2007

SEYFARTH SHAW LLP

By 
David M. Monachino (DM-1527)
620 Eighth Avenue
New York, New York 10018
(212) 218-5500

-and-

Michael D. Wexler
(to be admitted *pro hac vice*)
Jason P. Stiehl
(to be admitted *pro hac vice*)
131 South Dearborn Street, Suite 2400
Chicago, Illinois 60603
(312) 460-5000

Attorneys for Plaintiff ITW Tech Spray, L.L.C.

TO: Tech Spray Management Company L.L.C.
P.O. Box 949
Amarillo, TX 79105

Rita Russell
P.O. Box 3036
Carefree, AZ 85377

Richard Russell
P.O. Box 3036
Carefree, AZ 85377

Jeffrey G. Shrader, Esq.
Sprouse Shrader Smith P.C.
701 S. Taylor, Suite 500
Amarillo, Texas 79105

Vineet Bhatia, Esq.
Susman Godfrey, LLP
1000 Louisiana
Suite 5100
Houston, Texas 77002

David M. Monachino (DM 1527)
SEYFARTH SHAW LLP
620 Eighth Avenue
New York, New York 10018-1405
(212) 218-5500

Michael D. Wexler, Esq. (to be admitted *pro hac vice*)
Jason P. Steihl, Esq. (to be admitted *pro hac vice*)
SEYFARTH SHAW LLP
131 South Dearborn Street, Suite 2400
Chicago, Illinois 60603
(312) 460-5000

Attorneys for Plaintiff ITW Tech Spray, L.L.C.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X	
ITW Tech Spray, L.L.C.,	: ECF Case
	:
Plaintiff,	: Case No. 07-CV-6676
	:
vs.	:
	:
	: AFFIRMATION OF DAVID M.
Tech Spray Management Company, L.L.C.,	: MONACHINO, ESQ. IN SUPPORT
Richard Russell and Rita Russel,	: <u>OF PRO HAC VICE ADMISSION</u>
	:
	:
Defendants.	:
----- X	

STATE OF NEW YORK)
) s.s.:
COUNTY OF NEW YORK)

DAVID M. MONACHINO, being duly sworn, deposes and says:

1. I am a member of the Bar of the State of New York and the Bar of this Court, and a partner with the law firm of Seyfarth Shaw LLP, maintaining an office at 620 Eighth Avenue, New York, New York, 10018. I respectfully submit this affirmation in support of plaintiff's application to admit Michael D. Wexler and Jason Patrick Stiehl *pro hac vice* to represent plaintiff in the above-captioned action in this Court.

2. Mr. Wexler and Mr. Stiehl are resident in this firm's Chicago office, located at 131 South Dearborn Street, Suite 2400, Chicago, IL 60603-5577. As set forth in their respective affidavits in support of this motion, plaintiff has expressly requested that Mr. Wexler and Mr. Stiehl represent it in this matter.

3. As set forth in his affidavit in support of this motion, Mr. Wexler is a member in good standing of the Bar of the State of Illinois as well as of the United States District Court for the Northern District of Illinois and is of high moral character.

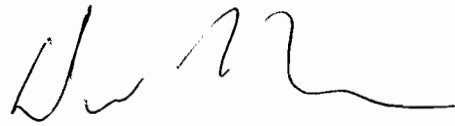
4. As set forth in his affidavit in support of this motion, Mr. Stiehl is a member in good standing of the Bar of the State of Illinois as well as of the United States District Court for the Northern District of Illinois and is of high moral character.

5. Neither Mr. Wexler and Mr. Stiehl have been suspended or disbarred by any court, and there are no disciplinary proceedings pending against them in any state or federal court.

6. Mr. Wexler and Mr. Stiehl are familiar with and have reviewed all rules governing the United States District Court for the Southern District of New York and have sworn to comply with those rules, including the Local Rules of Practice for the United States District Court for the Southern District of New York, the Civility Principles of the United States District Court for the Southern District of New York and the New York State Lawyer's Code of Professional Responsibility.

WHEREFORE, Plaintiff ITW Tech Spray, L.L.C. respectfully requests that this Court enter the proposed Order submitted herewith approving the admission *pro hac vice* of Michael D. Wexler and Jason Patrick Stiehl.

Dated: New York, New York
August 16, 2007

A handwritten signature in black ink, appearing to read 'D. Monachino', written over a horizontal line.

David M. Monachino

David M. Monachino (DM 1527)
SEYFARTH SHAW LLP
620 Eighth Avenue
New York, New York 10018-1405
(212) 218-5500

Michael D. Wexler, Esq. (to be admitted *pro hac vice*)
Jason P. Stiehl, Esq. (to be admitted *pro hac vice*)
SEYFARTH SHAW LLP
131 South Dearborn Street, Suite 2400
Chicago, Illinois 60603
(312) 460-5000

Attorneys for Plaintiff ITW Tech Spray, L.L.C.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----	X
ITW Tech Spray, L.L.C.,	: ECF Case
	:
Plaintiff,	: Case No. 07-CV-6676
vs.	:
	:
	: AFFIDAVIT OF MICHAEL D.
Tech Spray Management Company, L.L.C.,	: WEXLER, ESQ. IN SUPPORT
Richard Russell and Rita Russell,	: <u>OF PRO HAC VICE ADMISSION</u>
	:
	:
Defendants.	:
-----	X

STATE OF ILLINOIS)
)ss:
COUNTY OF COOK)

MICHAEL D. WEXLER, being duly sworn, deposes and says:

1. I am a partner of the law firm of Seyfarth Shaw LLP, counsel for plaintiff in the above-captioned action, and a member in good standing of the Bar of the State of Illinois as well as of the United States District Court for the Northern District of Illinois. I submit this affidavit in support of this motion for my *pro hac vice* admission to the United States District Court for


the Southern District of New York in the above-captioned action.

2. I am not under suspension or disbarment by any Court, nor are there any pending disciplinary proceedings against me in any State or Federal Court.


3. I have reviewed the local rules governing the United States District Court for the Southern and Eastern Districts of New York and shall comply with all said rules.

4. Annexed hereto as Exhibit A is a certificate of good standing issued by the United States District Court for the Northern District of Illinois within the past thirty (30) days stating that I am a member in good standing of the Bar.

WHEREFORE, I respectfully request that I be admitted *pro hac vice* to represent defendants in the above-captioned action in this court.


MICHAEL D. WEXLER

Sworn and subscribed to before me
this 13th day of August 2007


Notary Public



David M. Monachino (DM 1527)
SEYFARTH SHAW LLP
620 Eighth Avenue
New York, New York 10018-1405
(212) 218-5500

Michael D. Wexler, Esq. (to be admitted *pro hac vice*)
Jason P. Stiehl, Esq. (to be admitted *pro hac vice*)
SEYFARTH SHAW LLP
131 South Dearborn Street, Suite 2400
Chicago, Illinois 60603
(312) 460-5000

Attorneys for Plaintiff ITW Tech Spray, L.L.C.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----	X	
ITW Tech Spray, L.L.C.,	:	ECF Case
	:	
Plaintiff,	:	Case No. 07-CV-6676
vs.	:	
	:	
	:	AFFIDAVIT OF JASON PATRICK
Tech Spray Management Company, L.L.C.,	:	STIEHL, ESQ. IN SUPPORT
Richard Russell and Rita Russell,	:	<u>OF PRO HAC VICE ADMISSION</u>
	:	
	:	
Defendants.	:	
-----	X	

STATE OF ILLINOIS)
) ss:
COUNTY OF COOK)

JASON PATRICK STIEHL, being duly sworn, deposes and says:

1. I am an associate with the law firm of Seyfarth Shaw LLP, counsel for plaintiff in the above-captioned action, and a member in good standing of the Bar of the State of Illinois as well as of the United States District Court for the Northern District of Illinois. I submit this affidavit in support of this motion for my *pro hac vice* admission to the United States District Court for the Southern District of New York in the above-captioned action.

2. I am not under suspension or disbarment by any Court, nor are there any pending disciplinary proceedings against me in any State or Federal Court.

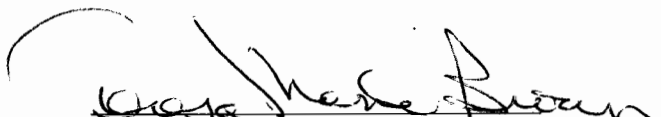
3. I have reviewed the local rules governing the United States District Court for the Southern and Eastern Districts of New York and shall comply with all said rules.

4. Annexed hereto as Exhibit B³ is a certificate of good standing issued by the United States District Court for the Northern District of Illinois within the past thirty (30) days stating that I am a member in good standing of the Bar.

WHEREFORE, I respectfully request that I be admitted *pro hac vice* to represent defendants in the above-captioned action in this court.


JASON PATRICK STIEHL

Sworn and subscribed to before me
this 13th day of August 2007


Notary Public



CERTIFICATE OF GOOD STANDING



United States of America

}ss. Michael Dale Wexler

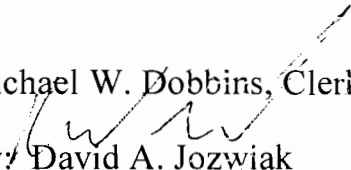
Northern District of Illinois

I, Michael W. Dobbins, Clerk of the United States District Court
for the Northern District of Illinois,

DO HEREBY CERTIFY That Michael Dale Wexler
was duly admitted to practice in said Court on (12/19/1991)
and is in good standing as a member of the bar of said court.

Dated at Chicago, Illinois
on (08/08/2007)

Michael W. Dobbins, Clerk,

By:  David A. Jozwiak
Deputy Clerk

CERTIFICATE OF GOOD STANDING



United States of America

}ss. Jason Patrick Stiehl

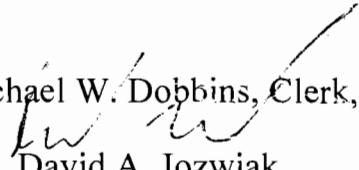
Northern District of Illinois

I, Michael W. Dobbins, Clerk of the United States District Court
for the Northern District of Illinois,

DO HEREBY CERTIFY That Jason Patrick Stiehl
was duly admitted to practice in said Court on (12/20/2001)
and is in good standing as a member of the bar of said court.

Dated at Chicago, Illinois
on (08/08/2007)

Michael W. Dobbins, Clerk,

By: 
David A. Jozwiak
Deputy Clerk

David M. Monachino (DM 1527)
SEYFARTH SHAW LLP
620 Eighth Avenue
New York, New York 10018-1405
(212) 218-5500

Michael D. Wexler, Esq. (to be admitted *pro hac vice*)
Jason P. Steihl, Esq. (to be admitted *pro hac vice*)
SEYFARTH SHAW LLP
131 South Dearborn Street, Suite 2400
Chicago, Illinois 60603
(312) 460-5000

Attorneys for Plaintiff ITW Tech Spray, L.L.C.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----	X	
ITW Tech Spray, L.L.C.,	:	ECF Case
	:	
Plaintiff,	:	Case No. 07-CV-6676
vs.	:	
	:	
	:	ORDER
Tech Spray Management Company, L.L.C.,	:	
Richard Russell and Rita Russel,	:	
	:	
Defendants.	:	
-----	X	

This matter is before the Court on a Motion for Admission *Pro Hac Vice* pursuant to Rule 1.3(c) of the Local Civil Rules of the United States District Courts for the Southern and Eastern Districts of New York. Upon consideration of this motion and supporting papers, it is, this ____ day of August 2007,

ORDERED that the Motion for Admission *Pro Hac Vice* for Michael D. Wexler, Esq. and Jason P. Stiehl, Esq. is GRANTED; and it is

FURTHER ORDERED that Michael D. Wexler, Esq. and Jason P. Stiehl, Esq., are hereby admitted to appear before this Court as counsel for Plaintiff in the above-captioned matter.

SO ORDERED.

United States District Judge

David M. Monachino (DM 1527)
SEYFARTH SHAW LLP
620 Eighth Avenue
New York, New York 10018-1405
(212) 218-5500

Michael D. Wexler, Esq. (to be admitted *pro hac vice*)
Jason P. Steihl, Esq. (to be admitted *pro hac vice*)
SEYFARTH SHAW LLP
131 South Dearborn Street, Suite 2400
Chicago, Illinois 60603
(312) 460-5000

Attorneys for Plaintiff ITW Tech Spray, L.L.C.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----	x
ITW Tech Spray, L.L.C.,	: ECF Case
	:
Plaintiff,	: Case No. 07-CV-6676
vs.	:
	:
	: <u>CERTIFICATE OF SERVICE</u>
Tech Spray Management Company, L.L.C.,	:
Richard Russell and Rita Russel,	:
	:
Defendants.	:
-----	x

I hereby certify that on August 17, 2007, I filed and served via certified mail, return receipt requested to the parties listed below, Plaintiff ITW Tech Spray, L.L.C.'s Notice of Motion to Admit Counsel *Pro Hac Vice* with supporting Affidavits.

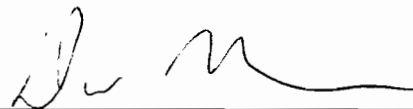
TO: Tech Spray Management Company L.L.C.
P.O. Box 949
Amarillo, TX 79105

Rita Russell
P.O. Box 3036
Carefree, AZ 85377

Richard Russell
P.O. Box 3036
Carefree, AZ 85377

Jeffrey G. Shrader, Esq.
Sprouse Shrader Smith P.C.
701 S. Taylor, Suite 500
Amarillo, Texas 79105

Vineet Bhatia, Esq.
Susman Godfrey, LLP
1000 Louisiana
Suite 5100
Houston, Texas 77002

A handwritten signature in black ink, appearing to read 'DM', is positioned above a horizontal line.

David M. Monachino (DM-1527)